

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA
AT BECKLEY**

UNITED STATES OF AMERICA,

v.

CRIMINAL ACTION NO. 5:09-cr-00191

NORVEL LEE WOODSON.

MEMORANDUM OPINION AND ORDER

Pending is Defendant Norvel Woodson's Letter-form Motion for Early Termination of Supervised Release, filed July 1, 2022. [Doc. 144].

I.

On August 31, 2010, following his guilty plea to distribution of a quantity of cocaine in violation of 21 U.S.C. § 841(a)(1), Mr. Woodson was sentenced to 151 months' imprisonment, followed by a 3-year term of supervised release. [Doc. 61]. Mr. Woodson began serving his term of supervision on March 5, 2021. Mr. Woodson now moves for early termination of his supervised release inasmuch as (1) he has not had any negative encounters with law enforcement, (2) he has maintained employment and a stable residence, and (3) he has satisfied his special assessment obligations.

The United States Probation Office for this District conducted an inquiry and notes that while Mr. Woodson has satisfied his special assessment obligations, he has had multiple violations while under supervision. According to his supervising Probation Officer in the Northern District of Alabama, Mr. Woodson has missed multiple urine screens, traveled out of the district

without permission on one occasion, and has displayed a defiant demeanor. The Probation Office thus reports that Mr. Woodson does not meet the criteria established by the Administrative Office of the United States Courts for early termination of supervised release and notes that Mr. Woodson's supervising Probation Officer also does not recommend early termination at this time.

II.

Pursuant to 18 U.S.C. § 3583(e), a court may, after consideration of the applicable Section 3553(a) factors, "terminate a term of supervised release and discharge the defendant at any time after the expiration of one year of supervised release . . . if it is satisfied that such action is warranted by the conduct of the defendant released and the interest of justice." 18 U.S.C. § 3583(e)(1); *see also United States v. Pregent*, 190 F.3d 279, 283 (4th Cir. 1999).

After careful consideration of the applicable Section 3553(a) factors and the information provided by Mr. Woodson's Probation Officer, the Court concludes that early termination of Mr. Woodson's supervised release is not warranted. While Mr. Woodson appears to have remained in compliance with the terms of his supervised release term without incident since 2021 and has demonstrated a dedication to maintaining a law-abiding lifestyle, his prior violations do not establish full compliance with the conditions of supervision. Thus, the Court **FINDS** that Mr. Woodson's conduct and the interests of justice do not support early termination of his supervised release.


III.

Accordingly, the Court **DENIES without prejudice** Mr. Woodson's Letter-form Motion for Early Termination of Supervised Release [**Doc. 144**].

The Clerk is directed to send a copy of this written opinion and order to the Defendant and counsel, to the United States Attorney, to the United States Probation Office, and to the Office of the United States Marshal.

ENTER: June 20, 2023




Frank W. Volk
United States District Judge